

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE

IN THE UNITED STATES DISTRICT COURT
2007 SEP 28 PM 1:22 FOR THE DISTRICT OF DELAWARE

DALE A. GUILFOIL
 plaintiff,

v.

DAVID PIERCE, et al.,
 Defendants.

C.A. NO. 06-493-GMS

JURY TRIAL REQUESTED

PLAINTIFFS RESPONSE TO DEFENDANTS

REQUEST FOR PRODUCTION OF DOCUMENTS

Dale Guilfoil (Plaintiff) hereby responds to the Defendants Request for Production of Documents (Request for Production):

GENERAL OBJECTIONS

1. Plaintiff object to the Request for Production to the extent that it seeks information or documents protected from disclosure by the attorney-client privilege, and/or any other applicable privilege.

2. Plaintiff object to the Request for Production to the extent that it purports to require supplementation of these responses beyond that required by Federal Rule of Civil Procedure 26(e).

3. Plaintiff object to the Request for production to the extent that it purports to seek information

or documents not in his possession, custody or control

4. Plaintiff object to the Request for Production to the extent that it seeks the production of documents equally available to Defendant or Defendant's counsel. Such documents will be identified by Plaintiff, but will not be produced.

5. Plaintiff object to the Request for Production to the extent that it purports to require production of information or documents which are impractical or unduly burdensome to reproduce.

RESPONSES

Subject to, and without waiver of the foregoing General Objections and those set forth in Plaintiff's Responses, Plaintiff respond, after a reasonable search and subject to supplementation, as follows:

1. All grievances, complaints, or other correspondence relating to, regarding or arising out of the incidents alleged in Plaintiff's Complaint, including, but not limited to all grievances or complaints submitted by Plaintiff to Department of Correction Personnel, responses thereto, and any related correspondence between Plaintiff and Department of Correctional personnel.

RESPONSE: All Grievances and Corresponds were

attached to Plaintiff's complaint which Defendants and Defendants Counsel already have.

2. All correspondence relating to, regarding or arising out of the incidents alleged in Plaintiff's Complaint, including, but not limited to, any correspondence between friends or family members of Plaintiff or other inmates and Department of Correctional personnel.

RESPONSE: All correspondence was attached to Plaintiff's complaint.

3. Any statements, declarations, petitions, or affidavits relating to, regarding or arising out of the incidents alleged in Plaintiff's Complaint and any statements, declarations or affidavits of Plaintiff, other inmates or witnesses to the allegations in the Complaint.

RESPONSE: None at this time

4. All criminal history records for Plaintiff from any other States besides Delaware for the past 15 years.

RESPONSE: There is none.

5. All medical records for Plaintiff relating to, regarding or arising out of the incidents alleged in Plaintiff's complaint.

RESPONSE: Defendants Counsel already has them.

6. All medical records for Plaintiff for the Past 15 years.

RESPONSE: Plaintiff has no funds to obtain copies but Defendants counsel can contact the following Doctors for records.

Dr. Stephen M. Beneck, M.D. 87 B Omega Drive, Newark, DE. 19713 (302) 733-0980 and Dr. Ganesh R. Balu, M.D. 413 E. Main Street, Ashley Plaza #10, Middletown, DE 19709 (302) 376-7655

7. Any and all document(s) referenced or identified in Plaintiffs Responses to Interrogatories served contemporaneously herewith.

RESPONSE: There are none.

Date: September 28, 2007

Dale Guilfoil
Dale Guilfoil
778 Silver Run Rd
Middletown, DE 19709

CERTIFICATE OF SERVICE

I hereby certify ~~that~~ on September 28, 2007
I hand delivered a copy of the Production of
Documents and Things to Eileen Kelly (I.D. 2884),
Deputy Attorney General, 820 N. French St. 6th Floor,
Wilmington, DE. 19801.

Dale Guilfoil
Dale Guilfoil
778 Silver Run Rd
Middletown, De 19709